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“DEMOCRACY” AND “REPUBLIC” AS UNDERSTOOD IN LATE EIGHTEENTH-CENTURY AMERICA

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JOHN ADAMS was bothered in 1788 by a “peculiar sense in which the words republic, commonwealth [or] popular state [were] used by . . . writers who mean by them a democracy.”¹ He and others who complained about the confused usage of *democracy* and *republic* had ample grounds for doing so, because the terms were used in a variety of ways.

Often, for example, they were used synonymously, as by various extremist political groups in the 1790s; fourteen such organizations called themselves *Republican Societies*, fifteen were known as *Democratic Societies*, and for good measure there were two *Democratic-Republican Societies*.² Yet an author of the United States Constitution, George Mason, must have had a different understanding when he declared: “Some people have called [Holland’s] government a democracy; others have called it an aristocracy. It is well known to be a republic.”³ But another author of the Constitution, James Wilson, simply defined “a republican or democratic” government as one in which “the people at large retain the supreme power.”⁴ In contrast, a newspaper published in Baltimore from 1802 to 1804 was entitled *The Republican; or, Anti-Democrat*. The question of meaning, no matter how confusing, cannot be simply disposed of by sweeping it under the rug when one realizes that many authors of the Constitution who agreed with their colleague Elbridge Gerry that “Democracy . . . [was] the worst . . . of all political evils”⁵ at the same time “guarantee[d] to every State . . . a Republican Form of Government.”⁶

Surveying eighteenth-century American political writing will, to be sure, illustrate the confusion; but it will also illustrate the differences which distinguish *republicanism* from *democracy*. At the outset, one obvious source of information must be mentioned and set aside. The United States Supreme Court could be expected to give an authoritative explanation of the Constitution’s

1. John Adams, *A Defence of the Constitutions of the United States of America* (London, 1794), III, 160–61. Volumes I and II were first published in 1787, Volume III in 1788.

2. Eugene P. Link, *Democratic-Republican Societies, 1790–1800* (New York, 1942), pp. 13–15.

3. Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* (Washington, D. C., 1836–45), III, 223.

4. In the Pennsylvania ratifying convention, November 26, 1787, *ibid.*, II, 433.

5. In Max Farrand, ed., *The Records of the Federal Convention of 1787* (rev. ed.; New Haven, 1937), II, 647.

6. United States Constitution, Article IV, Section 4.

phrase in Article IV, Section 4, "a Republican Form of Government," but the Court turns out to be a disappointment for this purpose. Not until 1849 did a case concerning this portion of the Constitution reach the Court, and only a few others have come along since then; in 1849 the high tribunal declined to deal with the question of republicanism, and it has generally maintained its silence since then.⁷ Another obvious source of information, *The Federalist* papers, is also a disappointment; only in essay Number 43 is this part of the Constitution mentioned—but just barely mentioned—directly.⁸ In other respects, though, *The Federalist* is helpful and is utilized in the present article.

Turning to eighteenth-century American political writers as a whole, we find most of them concurring with previous English theoreticians that there are three types of government, namely, *monarchy*, *aristocracy*, and *democracy*—the last category just as often being designated *republicanism*. On some occasions mixed government was considered, as by the New England divine John Wise who, in 1717, held the British government to be "such a monarchy . . . [of] most admirable temperment" that "hath the main advantages of an aristocracy, and of a democracy, and yet [is] free from the disadvantages and evils of either."⁹ Besides the foregoing, other types of government such as *despotism*, *oligarchy*, or *commonwealth* were also discussed, but much less frequently, and for our purposes can be ignored. Almost without exception the authors concurred in the view that monarchy was the rule of one man, usually hereditary, and that aristocracy was the rule by a hereditary or self-perpetuating select few. In either a republic or a democracy, sovereignty was considered to lie with the people as a whole, and this, naturally, gave rise to confusion.

At this point Montesquieu, who wielded a great influence over eighteenth-century American political thought,¹⁰ made a distinction which does much to separate a republic from a democracy. "[R]epublican government," he wrote,

7. Edward S. Corwin, ed., *The Constitution of the United States of America, Analysis and Interpretation* . . . , 82d Cong., 2d Sess., Senate Doc. No. 170 (Washington, D. C., 1953), p. 704. This book covers Supreme Court decisions through June 30, 1952. Much the same ground is covered, though in a different way, in the *United States Code Annotated: Constitution of the United States Annotated* (St. Paul, Minn. and Brooklyn, N. Y., 1944). A valuable feature of this work lies in its cumulative supplements; the most recent one checked covered decisions through 1963.

8. Jacob E. Cooke, ed., *The Federalist* (Cleveland and New York, 1961), pp. 291-92.

9. John Wise, *A Vindication of the Government of the New England Churches* (Boston, 1772), p. 33. (This work was first published in 1717.) The same view was propounded by "Portius" in a tract *O Liberty, thou Goddess heavenly bright!* ([New York, 1732]), p. 2.

10. Montesquieu's famous work *L'Esprit des Lois* was published in 1748 and translated into English by Thomas Nugent in 1750; the Nugent translation has remained the standard up to the present day and was edited with introduction and notes by Franz Neumann in 1949. For Montesquieu's influence on the colonists, see especially Paul M. Spurlin, *Montesquieu in America, 1760-1801* (Baton Rouge, La., 1940).

“is that in which the body, *or only a part* [emphasis supplied] of the people, is possessed of the supreme power,”¹¹ and thus may be either a democratic or an aristocratic republic. In other words, *republic* is the main category of government in which authority rests initially with the populace, but is composed of two subcategories, the *democratic* if all the people rule or the *aristocratic* if only a select number of them do. This idea was repeated by “Agrippa” writing in the *Massachusetts Gazette* of January 22, 1788: “Republicks are divided into democraticks and aristocraticks.”¹² If all the American colonists had accepted Montesquieu’s definitions, our problems would be ended right here; the trouble is they did not. Nonetheless, Montesquieu’s distinctions will prove helpful to a fundamental understanding of eighteenth-century thought.

After finding agreement that both a republic and a democracy had their sources in the people, we also notice the claim that both were on the side of the angels. In the Virginia ratifying convention of 1788, John Marshall set forth “the favorite maxims of democracy . . . [as] a strict observance of justice and public faith, and a steady adherence to virtue” along with “freedom” and “security.”¹³ At the same time his colleague Edmund Randolph identified “the genius of republican government” with “the spirit of freedom,” with “justice,” and with freedom from “licentiousness, insecurity, and oppression”;¹⁴ in South Carolina Charles Pinckney asserted that “the object of a republic is to render its citizens virtuous and happy.”¹⁵ Who could condemn such lofty attributes? At the same time, how were they to be accomplished, and who could not claim them for other systems of government? In much the same way still another noble claim was made for both forms of government. William Vans Murray in 1784 characterized “the American democracies [as] governments of laws, and not of parties.”¹⁶ John Adams repeatedly described a republic as “an Empire of Laws, and not of Men,” or as a government in which all men of all classes and interests “are equally subject to the laws. This indeed appears [to Adams] to be the true, and only true definition of a republic.”¹⁷ But again, high-sounding

11. Charles Louis de Secondat, Baron de Montesquieu, *The Spirit of the Laws*, trans. Thomas Nugent and ed. Franz Neumann (New York, 1949), p. 8 (Book II, Section 1). This definition of *republic* by Montesquieu was quoted by Governor Randolph in the Virginia ratifying convention, June 6, 1788; in Elliot, *Debates*, III, 84–85.

12. In Paul L. Ford, ed., *Essays on the Constitution of the United States . . . 1787–1788* (Brooklyn, N. Y., 1892), p. 106.

13. Elliot, *Debates*, III, 223.

14. *Ibid.*, III, 67.

15. *Ibid.*, IV, 322.

16. A Citizen of the United States, “Political Sketches,” *American Museum*, II (September, 1787), 225. According to the preface, this essay was written in 1784–85. Both the *Dictionary of American Biography* and the *Dictionary of Anonymous and Pseudonymous Literature* ascribe this article, originally published as a tract in England, to William Vans Murray.

17. John Adams, *Thoughts on Government* (Philadelphia, 1776), p. 8. This is but one example of several such utterances by Adams; see also Adams, *Defence*, III, 158.

claims are of little value in delineating political systems.

The earlier criterion of the source of sovereignty was a much more tenable one for describing a type of government. Here the basic idea underlying $\delta\eta\mu\omicron\varsigma + \kappa\rho\alpha\tau\acute{\iota}\alpha$ is self-evident by mere translation into 'the people rule.' Thus a New England writer of 1756 simply described "a Democratical State . . . [as] a Form of Government, where the supreme or legislative Power is lodged in the *Common People*, and have their Turns of Commanding as well as Obeying."¹⁸ During the Pennsylvania ratifying convention of 1787, James Wilson designated the United States Constitution as "purely democratical," because in regard to the sources of power "we shall be able to trace them all to . . . THE PEOPLE."¹⁹ Such a situation presupposes equality, and a magazine article of 1787 asserted that in democratic American society people have "cherished that passion for equality, which knows no restraint";²⁰ in democracies, according to James Monroe, "there is an equality among the citizens."²¹ A republic, on the other hand, is *not* "founded on the equality of all citizens," wrote Adams, simply because people are not equal.²²

Continuing this analysis based on the fundamental meaning of words, we find a translation of *res publica* to be unrewarding; the phrase means only 'the public thing' or 'public affair'—whatever that may be. Yet two such disparate men as John Adams and Tom Paine framed logical definitions of *republic* on the basis of its literal meaning; these definitions were not commonly followed, however, and are of only limited value. Adams in 1788 wrote that *res* signifies not only so general a concept as "thing" but also such specific concepts as "wealth, riches, property"; thus *res publica* means a government in which "the property of the public . . . [is] secured and protected by law. This idea, indeed, implies liberty; because property cannot be secure" unless people are free to acquire and use it at their discretion. The term "implies, moreover, that the property and liberty of all men, not merely of a majority, should be safe," because the *publica* consists of *all* people.²³

Such an understanding goes beyond notions of the structure and composition of government; it also makes meaningful the otherwise vague claims to liberty, virtue, or justice cited above. This concept of *republic* as something benign also clarifies the common and puzzling eighteenth-century practice of classifying some monarchies and closed aristocracies as *republics*—Poland, Holland, and Venice being the most usual ones. Probably the most amazing example of such generous classification is John Adams's discourse of some 350 pages which dis-

18. Daniel Fowle, *An Appendix to the Late Total Eclipse of Liberty* . . . (Boston, 1756), pp. 5-6.

19. Farrand, *Records*, III, 142-43.

20. Citizen, "Political Sketches," III, 224.

21. During the Virginia ratifying convention, June 10, 1788; in Elliot, *Debates*, III, 209.

22. Adams, *Defence*, I, 108-9.

23. *Ibid.*, III, 158-60.

cusses under the headings of "democratical," "aristocratical," or "monarchical" republics places with such exotic names as Zug, Soleure, Phaeacia, and Lacedaemon.²⁴

Continuing the idea that "a *republic* is not any *particular form* of government," but rather a characteristic of the purpose of government, Tom Paine maintained that the *res publica* had to do with the fulfillment of things in the *public* interest rather than in the *private* interest as was the practice in a restricted class government, such as a monarchy or an aristocracy. "Republican government is no other than government established and conducted in the interest of the public. . . . It is not necessarily connected with any particular form." What is the best form of government, he asks, "for conducting the RES PUBLICA, or the PUBLIC BUSINESS" after a community has become too large, as many did in ancient times, "for the simple democratical form?" His answer is certainly not a monarchy or an aristocracy, but rather "the representative system" which remedies at once "the defects of a simple democracy" in its inability to rule anything but a small region.²⁵

These definitions of *res publica* as a government which concerns itself primarily with the public interest place a republic on an entirely different plane from that upon which it usually rests, on a plane such as that offered above by Montesquieu which cuts across the categories of *monarchy*, *aristocracy*, and *democracy*. Using this sense, one of John Dickinson's defenses of the United States Constitution put it in a class of "a single republic with one democratic branch in its government."²⁶ Furthermore, it does seem likely that the authors of the Constitution held an idea such as Adams's and Paine's when they drafted a "republican" form of government, since they repeatedly emphasized the intention of creating a government which would rule in the public interest.²⁷

Returning to democratic governments, we find that in their simplest forms and in very small regions, democracies (usually called "pure" democracies in such situations) are operated directly by the people themselves. Such a system, however, did not commend itself to Fisher Ames; during the Massachusetts ratifying convention (1788), he denied "that a pure democracy is the best government for a small people who assemble in person." Realistically, he added, "It is of small consequence to discuss it, as it would be inapplicable to

24. There are innumerable references to republican Venice, Holland, and so on, which a person will discover by even a cursory inspection of eighteenth-century American political writings. The table of contents of Adams's three-volume *Defence* enumerates an amazing host of "republics" from which these names are taken.

25. Thomas Paine, *Rights of Man, Part the Second* (London, 1792), pp. 22-24.

26. *Letters of Fabius*, No. V, in Paul L. Ford, *Pamphlets on the Constitution of the United States* . . . (Brooklyn, N. Y., 1888), p. 189.

27. Merely browsing through Farrand's four-volume *Records of the Federal Convention* will support this generalization.

the great country which we inhabit.”²⁸ On the same subject John Adams agreed that in a pure democracy “sovereignty must, in all cases, be exerted by the whole people together and has rarely if ever existed.”²⁹ Madison, writing in *The Federalist* (Number 10), defined “a pure Democracy” as “a Society consisting of a small number of citizens, who assemble and administer the Government in person.” This sort of society, he continued, “can admit of no cure for the mischiefs of faction. . . . Hence it is that Democracies have ever been spectacles of turbulence and contention. . . .”³⁰

Chaos was commonly and widely identified with democracy. As just a few of the many examples, James McHenry spoke of “all the Disorders of a Democracy”;³¹ Charles Pinckney feared “the anarchy of a pure democracy”;³² and the proceedings of the Constitutional Convention are peppered with such utterances. The frequency of mob violence in colonial American life—the Boston Tea Party is an outstanding example—is described by Howard Mumford Jones in Chapter VIII of his Pulitzer Prize winning book, *O Strange New World*.³³ Jones also discovers “a tendency to find ‘democracy’ vicious and a republic admirable.”³⁴ Republicanism, then, stood apart from democracy and was rarely if ever associated with turbulence or disorder. A possible exception to this occurred whenever a person used the term *republic* as a synonym for *democracy*, as Pinckney did in 1788 when he designated the “evils of a republic . . . [as] dissension, tumult, and faction.”³⁵ Otherwise, though, democracy was identified with disorder; republicanism was not. Or, in the words of Fisher Ames, power “uncontrollable” in the hands of the people with “no limits . . . is democracy and not republicanism.”³⁶

Even Tom Paine agreed with some of the above views. In *The Rights of Man* (1792) he stated that “the simple democratical form” of antiquity could not govern a large area. “Simple democracy was society governing itself without the aid of secondary means.” Thereupon he raised an important criterion for distinguishing a democracy from a republic: “By ingrafting representation upon democracy we arrive at a system of government capable of embracing”

28. Elliot, *Debates*, II, 8.

29. Letter to [John Taylor] of April 15, 1814, in Adrienne Koch and William Peden, eds., *The Selected Writings of John and John Quincy Adams* (New York, 1946), p. 173.

30. Cooke, *Federalist*, pp. 61–62.

31. James McHenry’s report on the Constitutional Convention to the Maryland House of Delegates, November 29, 1787; in Farrand, *Records*, III, 146.

32. Charles Pinckney, *Observations*, *ibid.*, III, 115.

33. Howard Mumford Jones, *O Strange New World* (New York, 1964), especially pp. 281–85 and 288–93.

34. *Ibid.*, p. 255.

35. On May 14, 1788; in Elliot, *Debates*, IV, 327.

36. Seth Ames, ed., *Works of Fisher Ames* (Boston, 1854), II, 212. The statement was made in 1801.

the various interests of society. “It is on this system that the American government is founded. It is representation ingrafted on democracy”; it is the best form of government, excluding “at once the ignorance of the hereditary mode, and the inconvenience of the simple democracy. . . . It is preferable to simple democracy even in small territories.”³⁷ Paine, of course, was but one of many who used representation as a criterion to distinguish a republic from a democracy; yet he probably would not have concurred entirely with Montesquieu’s opinion that the “great advantage of representatives is, their capacity of discussing public affairs. For this the people collectively are extremely unfit, which is one of the chief inconveniences of a democracy.”³⁸

Madison had discerned, as indicated in *The Federalist* (Number 14), “that in a democracy, the people meet and exercise the government in person; in a republic they assemble and administer it by their representatives and agents. A democracy consequently will be confined to a small spot. A republic may be extended over a large region.”³⁹ Madison had earlier expressed these views in the tenth *Federalist* paper, with the elaboration that the “delegation of the Government” in a republic to “a small number of citizens elected by the rest” distinguished this form of government from a democracy, and that a result of representation was to “refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country.”⁴⁰

Yet we must notice that some other people, such as William Vans Murray⁴¹ and James Wilson, made the very same claim for democracy. Wilson praised the United States Constitution because “all authority, of every kind, *is derived by REPRESENTATION from the PEOPLE, and the DEMOCRATIC PRINCIPLE is carried into every part of the government.*”⁴²

This sort of thinking is an important source of the confusion between democracy and republicanism; but it is correct to say that representation was much more often associated with republicanism than with democracy and thus serves as a legitimate criterion to distinguish between the two. For example, Edmund Pendleton “as a republican” asserted in the Virginia ratifying convention (1788) that “the people [were] the fountain of all power.” Yet it did not follow that a democracy was a desirable type of government, for the people “must,

37. Paine, *Rights of Man*, Part II, pp. 23–24.

38. Montesquieu, *Spirit*, p. 154 (Book XI, Section 6).

39. Cooke, *Federalist*, p. 84.

40. *Ibid.*, p. 62.

41. Citizen [William Vans Murray], “Political Sketches.” The author speaks of *democracy* throughout and quite obviously uses it as the equivalent of *republicanism*. So far as his identifying *democracy* with representation is concerned, see pp. 235–36.

42. On December 4, 1787; in Elliot, *Debates*, II, 482. This is but one of many examples of Wilson’s belief that a democracy and a republic were the same thing; see also II, 478.

however, delegate . . . [power] to agents" since a large number of them cannot act in person.⁴³ In the same gathering Patrick Henry concurred in the view that the "delegation of power to an adequate number of representatives, and an unimpeded reversion of it back to the people . . . form the principal traits of a republican government."⁴⁴ At almost the same time Alexander Hamilton in New York summed up most of these views when he branded as false the claim "that a pure democracy, if it were practicable, would be the most perfect government. . . . The ancient democracies, in which the people themselves deliberated, never possessed one feature of good government." However, "the true principle of a republic is that the people should choose whom they please to govern them." The United States Constitution made it possible for "people . . . to elect their most meritorious men" and for "the people's suffrages . . . to elevate merit even from obscurity."⁴⁵

Selectivity, then, which is implicit in representation, is a distinguishing characteristic of republicanism. By a process of choice, various men are elevated from the large body of the people, the source of authority common to both a democracy and a republic. But in a democracy where the whole body of people rule, no such small group of leaders emerges; equality prevails over superiority. Depicting selectivity, John Adams outlined a republican system in his *Thoughts on Government* (1776) when he wrote that the first thing for Americans to do was to form a legislature, "to depute power from the many, to a few of the most wise and good," and to specify the qualifications for voting in terms of land ownership or some other criteria.⁴⁶

Robert R. Livingston carried this point of selectivity and representation further in the New York ratifying convention (1788) in a rebuttal to Melancton Smith's disapproval of "the natural aristocracy." According to Livingston, Smith damned not only "the rich and the great" members of "the natural aristocracy" but also most other members such as "the wise, the learned, and those eminent for their talents or great virtues." These, he said, are precisely the men "to represent us. . . . The truth is, that in these republican governments. . . . [w]e are equally aristocrats . . . [in that] offices, emoluments, honors, are open to all."⁴⁷ A republic, then, also embraces the concept of an open society which extracts its best, its leadership, from the ranks of the people, as distinct from a monarchy or a hereditary aristocracy on the one hand and a democracy on the other. At about the same time James Madison expressed a very similar idea in Virginia when he defended the wisdom of the Constitution in not specifying definite salaries, for the time might well come

43. On June 11, 1788; *ibid.*, III, 298.

44. On June 14, 1788; *ibid.*, III, 396.

45. On June 21, 1788; *ibid.*, II, 253-57.

46. Adams, *Thoughts*, pp. 9-10.

47. On June 23, 1788; in Elliot, *Debates*, II, 277-78.

(he said) when they could be so low that "a man of the highest merit could not . . . [hold office] unless he were wealthy. This is the most delicate part in the organization of a republican government."⁴⁸ Selectivity and representation are seen to be important traits of republican government.

Regarding elections, democratic theory maintained that they should be held frequently, for in this way the people more effectively exercised their sovereignty than they could otherwise. Annual elections made up the goal for democrats who frequently criticized the Constitution because of its stipulating biennial elections for the House of Representatives, "a departure from safe democratic principles," according to George Clinton.⁴⁹ In this John Williams concurred; he was convinced "that biennial elections are a departure from the true principles of democracy."⁵⁰ To both of these men, as to other democrats, the quadrennial presidential election and sexennial senatorial election were sheer abominations. Unless the term *republic* were being used as a synonym for *democracy*, frequent elections were not claimed for the former.

So far as suffrage was concerned, democracy and republicanism were similar, but except for Montesquieu the eighteenth-century writers examined were not definite on this subject. According to Montesquieu, classifying voters by rank and counting their votes proportionally to their station in life was "a fundamental law in republics. . . . The suffrage by lot is natural to democracy; as that by choice is to aristocracy."⁵¹ American writers were generally even less specific; they often spoke about suffrage in the people, but paid scant heed to the fact that women, Negroes, and perhaps 25 percent of the white men were not permitted to vote.⁵² Jefferson himself was not particularly bothered by this situation in 1816 when he wrote that even if Virginia were a "pure democracy" wherein "all its inhabitants" met to transact public affairs, children, women, and slaves would still be excluded. "The business . . . would be done by qualified citizens only."⁵³

In a speech highly critical of democracy during the Constitutional Convention, Hamilton reflected Montesquieu's principles in describing a government

48. On June 14, 1788; *ibid.*, III, 374.

49. Letter by "Cato" (George Clinton) in the *New York Journal* for November 22, 1787; printed in Ford, *Essays*, p. 267.

50. John Williams at the New York ratifying convention, June 21, 1788; in Elliot, *Debates*, II, 242.

51. Montesquieu, *Spirit*, p. 11 (Book II, Section 2).

52. The statement that 25 percent of the white men were not permitted to vote is based on an approximation that I have made from data presented on pp. 35-39, especially on p. 38, of Chilton Williamson, *American Suffrage from Property to Democracy* (Princeton, N. J., 1960).

53. In Andrew A. Lipscomb, ed., *The Writings of Thomas Jefferson* (Washington, D. C., 1903-5), XV, 71-72.

as "republican if the people elect and also fill vacancies."⁵⁴ For stability, "Let one branch of the Legislature hold their places for life," and the same for the executive. "But is this a Republican Govt. it will be asked? Yes, if all the Magistrates are appointed, and vacancies are filled, by the people, or a process of election originating with the people."⁵⁵ Thus, an electoral system "*originating* with the people," but which may become progressively more restricted is a trait of republicanism. Democracy, though, was not sharply set off from this position. To be sure, there had been relaxations in suffrage requirements in the late eighteenth century and there would be even more thereafter; yet a widespread demand for universal suffrage was not to be found in the eighteenth century and cannot be presented as a criterion of democracy at that time.⁵⁶ In the future, however, there would be such demands from democrats. Therefore, we probably may list the *potential* desire for universal suffrage as a trait of democracy. Another trait of democracy, presumably, would be the filling of as many offices as possible by election, thus making *δημοκρατία* a reality.

Madison elaborated on the above Hamiltonian position in *The Federalist* (Number 57). "The elective mode of obtaining rulers," he said, "is the characteristic policy of republican government." The electors of the House of Representatives—the only portion of the government actually chosen by the people—are to be "not the rich more than the poor; nor the learned more than the ignorant; nor the haughty heirs of distinguished names, more than the . . . obscure."⁵⁷ Election from the people is characteristic of a republic, but an election for only some of the officials; under a democracy, presumably, *all* officials would be elected. In another issue of *The Federalist* (Number 39), Madison corroborated this view by stating, "[W]e may define a republic to be . . . a government which derives all its powers directly *or indirectly* [emphasis supplied] from the great body of the people . . . not from an inconsiderable proportion or a favored class of it. . . . It is *sufficient* [Madison's emphasis] for such a government, that the persons administering it be appointed, either directly or indirectly, by the people."⁵⁸ He goes on to say that the Constitution fulfills these criteria of republicanism in that the House of Representatives "is elected immediately by the great body of the people [which actually amounted to about 35 percent of the white adults⁵⁹]. The Senate . . . derives its appointment indirectly from the people. . . . Even the judges . . . will be the choice, though a remote choice of the people themselves."⁶⁰ Suffrage to eight-

54. On June 18, 1787; in Farrand, *Records*, I, 304.

55. On June 18, 1787; *ibid.*, I, 289-90.

56. Williamson in his *American Suffrage* also did not report a movement for universal suffrage in the eighteenth century even among such radicals as Richard Price or Joseph Priestly; see especially pp. 71-75.

57. Cooke, *Federalist*, pp. 384-85.

58. *Ibid.*, p. 251.

59. See n. 52.

60. Cooke, *Federalist*, p. 252.

eenth-century republicans was a hedged-in suffrage. As the future would show, universal suffrage and direct election of officials (albeit federal judges are still untouched) would be a hallmark of democrats.

A final but significant criterion for distinguishing a democracy from a republic presents itself. This could easily go unnoticed and was apparently never specifically isolated by eighteenth-century Americans, but just as apparently it underlay their thoughts, namely, the feature of *concentration as opposed to separation of powers*.

Writing in 1764, James Otis declared that in a state of nature, authority lay with the “*whole body of the people*.” If they retained *both legislative and executive* powers “where nature seems to have placed them originally, the government is a simple *democracy*, or a government of all over all.”⁶¹ During the eighteenth century, democrats espoused the centralization of power into the hands of the people (practically speaking, into the lower house of the legislature) and converted their desires into realities during the Revolutionary period. The new governments of Pennsylvania and Georgia went even so far as to be unicameral, and those of most other states were so constructed that the lower house—the people’s branch—selected the members of the upper house, the executive, and even the courts. Here was complete people’s control of the government or clear-cut democracy. On a larger scale the Articles of Confederation created one body, the Congress, which was both legislative and executive; a national judiciary did not exist. What more democratic government than this?

Just the opposite type was propounded by John Adams in his *Thoughts on Government* of 1776. What he called for was essentially the perpetuation of pre-Revolutionary colonial government minus the crown; he condemned unicameralism and extolled separation of powers along with checks and balances which, as seen above, do not exist in people’s or democratic governments.⁶² A decade later Madison wrote a letter describing the Constitutional Convention in which he made reference to the theory of a free or republican government which “forbids a mixture of the Legislative & Executive powers,”⁶³ and Charles Pinckney apparently had the same idea in mind when he spoke of a “republic, where the people at large, either collectively or by representation, form the legislature”⁶⁴ but apparently no other parts of the government which thus are separate from the legislature. Hamilton, in the New York ratifying convention, concurred with these views in saying that “there should be, in every republic, some permanent body to correct the prejudices, [and] check

61. James Otis, *Rights of the British Colonies Asserted and Proved* (Boston, 1764), p. 12.

62. Adams, *Thoughts*, pp. 10–28.

63. Madison to Jefferson, October 24, 1787; in Farrand, *Records*, III, 133.

64. On May 14, 1788; in Elliot, *Debates*, IV, 327.

the intemperate passions . . . of a popular assembly."⁶⁵ John Adams, in his *Defence of the Constitutions* (1788), claimed that personal safety existed in the Roman republic "only while the senate remained as a check and balance to the people."⁶⁶ While applauding republics at length, Adams disapproved of "a democracy, . . . a government in . . . a single assembly, chosen . . . by the people, and invested with all sovereignty; the whole legislative, executive, and judicial power, to be exercised in a body, or by committees."⁶⁷ Briefly put, John Adams condemned just that type of government created by the Articles of Confederation.

Adams's sympathies were shared by many authors of the United States Constitution who created an avowedly republican government (Article IV, Section 4) and who repeatedly stressed their allegiance to the doctrine of separation of powers with its attendant checks and balances. Right here, especially in contrast to the government of the Articles of Confederation, one sees on a large scale the difference between a republic and a democracy.

Charles Pinckney's letter in *The State Gazette of South Carolina* of May 5, 1788, further illustrates this aspect of a republic; he wrote, "The Constitution . . . takes its rise where it ought from the people; its [separated] President, Senate, and House of Representatives are . . . checks on each other. . . . [All] essentials to a republican government are, in my opinion, well secured."⁶⁸ Quite different was the type of government described by Edmund Randolph a month later when he related that Virginia had fought in the Revolution "under a democracy almost as pure as representation would admit: she supported . . . [the war] under a constitution which subjects all rule, authority and power to the legislature."⁶⁹ Separation or concentration of power, then, quite sharply distinguishes a republic from a democracy.

Before deluding ourselves into believing that the distinctions between a democracy and a republic were clear-cut and apparent to all eighteenth-century Americans, it is well to sober up and realize that their understandings were generally quite hazy, thus giving us the problem at hand. The distinctions revealed here illustrate what Americans *should* have been thinking had most of them been careful in their speech. These distinctions also have the ring of reality about them when one thinks of the Constitutional Convention. When a group of men so frequently damned democracy and consistently praised

65. On June 24, 1788; *ibid.*, II, 301.

66. From Volume III (1788) of *Defence of the Constitutions*, in Charles Francis Adams, ed., *Works of John Adams* (Boston, 1850-56), VI, 12; the same idea is repeated on pp. 85-87.

67. Adams, *Defence*, III, 161.

68. Ford, *Essays*, p. 413.

69. On June 4, 1788; in Farrand, *Records*, III, 307.

republicanism as they did, it is apparent that differences between the two existed and must have been understood. The differences, I submit, are those presented herein which (along with the similarities) can be summarized as follows:

Both republicanism and democracy were thought of by their proponents as being virtuous forms of government, albeit republicanism was also sometimes conceived of as cutting across and containing other categories, such as aristocracy or democracy. Most frequently, though, republics and democracies alike were held to be forms of government in which sovereignty lay with the people as a whole; this was indeed the source of confusion between the two.

But from this point on we can discriminate between them. A *democracy*—literally a ‘rule by the people’—was thought of in terms of direct rule by the people, a form which obviously could govern only a very small territory, and one which was considered by many as simply a manifestation of mob turbulence. As a matter of fact, just such a democracy would emerge in Paris during the Reign of Terror. To be sure, such a government—or a “pure” democracy—would be unable to govern a nation; however, it would remain as an *ideal to be approximated* as nearly as possible in practice.

In real life the only practical way was to have the government run by representatives of the people (i.e., to have a republican government). The idea of representation naturally brings to the fore the concepts of selectivity and the quest for excellence—so different from the democratic emphasis on equality. Regarding public office, democrats advocated the direct and frequent filling of virtually all offices by popular elections; republicans were for indirect and less frequent filling of some offices by elections in which, very likely, fewer people participated than democrats would want.

To approach rule by the people as nearly as possible, democrats espoused governments in which the people predominated and operated all functions; the government created by the Articles of Confederation was an excellent fulfillment of this desire, as were (in varying degrees) the Revolutionary state governments in which the people’s branch of the legislature appointed and dominated all other officials. In contrast to this, republicans stressed the separation of various functions of government and the ability—nay the duty—of one branch of government to act as a restraint or check on other branches. Actually, this was nothing other than the pre-Revolutionary British theory of “balanced government.”

Briefly put (and despite such men as Wilson and Marshall), the difference between a democracy and a republic is the difference between the Articles of Confederation and the Constitution.